

**DEFENDANT'S APPENDIX**

**PART D**

1282

COOPER & SCHALL, P.C.  
BY: CHARLES S. COOPER, ESQUIRE  
ATTY. I.D. NO. 46568  
1760 MARKET STREET, SUITE 1100  
PHILADELPHIA, PA 19103  
PHONE: 215-561-3313

ATTORNEY FOR  
PLAINTIFF (S)

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

ASHLEY ADAMS  
716 North Barrett Lane  
Christiana, DE 19702  
PLAINTIFF

DISTRICT COURT

NO. 04-251 JJF

VS.

JO ELLEN CHAPEN SHELDON  
708 Pebble Beach Drive  
Elkton, MD 21921

RULE 26(a) INITIAL DISCLOSURES

1. **SUMMARY OF CONTESTED FACTS:** On or about April 23, 2002, Plaintiff, Ashley Adams, owned and operated an automobile which she was driving on Route 896 at the intersection with 1260 Old Baltimore Pike, City of Newark, State of Delaware when she was stopped at red traffic light and was so situated the Defendant, Jo Ellen Chapin Sheldon, negligently and carelessly struck the Plaintiff's vehicle in the rear, which was caused solely from the negligence, carelessness, and/or recklessness of the Defendants herein and was in no manner whatsoever due to any act or failure to act on the part of the Plaintiff.

2. **IDENTITIES OF INDIVIDUALS LIKELY TO HAVE KNOWLEDGE OF DISCOVERABLE FACTS:**

Fact Witnesses:

- a. Ashley Adams  
716 N. Barrett Lane  
Christiana, DE 19702

- b. Jo Ellen Chapen Sheldon  
708 Pebble Beach Drive  
Elkton, MD 21921
- c. Cpl. R. Lewis 894  
Delaware State Police Troop 9  
414 Main Street  
Odessa, DE 19730  
(302) 378-5218

Expert Witnesses:

- a. Dr. Conrad K. King, Jr., M.D.  
Delaware Diagnostic & Rehabilitation Center, P.A.  
1700 Wawaset Street  
Suite 100  
Wilmington, DE 19806  
(302) 777-3955
- b. Dr. Matthew J. Eppley, M.D.  
Delaware Neurosurgical Group, P.A.  
4745 Ogletown-Stanton Road, Suite 117  
Newark, DE 19713  
(302) 366-7671
- c. Dr. Douglas R. Briggs, D.C.  
1STATE Health & Wellness  
202 Lantana Dr.  
Lantana Square Shopping Center  
Hockessin, DE 19707-8807  
(302) 239-1600
- d. Dr. Bruce Grossinger, D.O.  
Swarthmore Neurology Associates  
4100 Dawnbrook Drive  
Suite 4  
Wilmington, DE 19804
- e. Dr. Michael L. Brooks, MD  
Mercy Fitzgerald Hospital  
Radiology Department  
1500 Lansdowne Ave.  
Darby, PA 19023

(610) 237-4355

- f. Dr. Eric C. Marks, D.C.  
1STATE Health & Wellness  
202 Lantana Dr.  
Lantana Square Shopping Center  
Hockessin, DE 19707-8807  
(302) 239-1600
- g. Dr. Donald E. Jennings, Ed.D.  
Stonewood Office Campus, Unit 109  
826 Bustleton Pike  
Feasterville, PA 19053  
(215) 364-5782

3. **DOCUMENTS AND THINGS IN THE POSSESSION OF COUNSEL  
OR THE PARTY:**

See Medical Records and Bills attached hereto as Exhibits "A" through  
"T".

- a) Delaware Diagnostic & Rehabilitation Center, PA, 4/29/2002 –  
5/31/2005.
- b) Eckerd Pharmacy receipts, 04/26/2002.
- c) Christiana Hospital, date of service 04/24/2002.
- d) Happy Harry's receipts, 04/29/2002 – 1/15/2003.
- e) Doctors for Emergency Service, 04/27/2002.
- f) Delaware Neurosurgical Group, PA, 04/25/2002 – 02/11/2003.
- g) Christiana Care, 04/23/2002 – 05/03/2002.
- h) Christiana Care Imaging Service, 04/25/2002 – 02/11/2003.
- i) Cecil County Commissioner/BLS, 04/24/2002 – 04/26/2002.
- j) Newark Chiropractic Health Center, P.A., 02/20/2002 – 8/19/2002.

- k) Lantana Chiropractic Health Center, P.A., 08/24/2002 - 12/07/2002.
- l) X-Ray Associates, PA, 04/27/2002.
- m) Christiana Care VNA HME, 05/08/2002.
- n) Swarthmore Associates, records from 6/28/02 - 12/06/02.
- o) First State Orthopedics, PA, 06/03/2002. This was previously provided to Plaintiff's attorney, Charles S. Cooper, by Defense counsel, on May 9, 2005.
- p) Christiana Care Health Services CT Scan, dated 04/23/2002.
- q) Delaware Diagnostic & Rehabilitation Center, P.A., records from 04/29/2002 - 08/23/2004.
- r) Christiana Care Health Services Discharge Instructions, dated 04/26/2002.
- s) Christiana Care Health Services Work/Activity Statement, 04/30/2002.
- t) Delaware Neurosurgical Group, Return to Work slip, dated 05/22/2002 and 07/02/2002.

**Other documentation provided by the plaintiff:**

- a) See a copy of Plaintiff's Auto Declaration Page of automobile insurance provided by State Farm Insurance covering the period of insurance immediately after the accident attached hereto as exhibit "u".
- b) A copy of Plaintiff's Notice of Payment Due from State Farm Insurance attached hereto as exhibit "v".
- c) A copy of the State of Delaware Uniform Traffic Collision Report from the date of the accident attached hereto as exhibit "w".
- d) A copy of a Memorandum from Plaintiff's employer, Delaware Park, dated 08/20/2002 attached hereto as exhibit "x."

- e) A copy of Plaintiff's payment from her insurance company for lost wages covering periods 08/15/2002 and 08/23/2002 attached hereto as exhibit "y".

4. **INSURANCE AGREEMENTS IN FORCE:**  
Not Applicable.

5. **STATEMENT OF THE BASIS FOR ANY DAMAGES CLAIMED:**

- a. See medical bills attached hereto as Exhibits "o" through "u".

- b. **PAIN AND SUFFERING:**  
Plaintiff to testify as to pain and suffering after accident.

- c. **LOST WAGES:**  
Information to be provided.

COOPER & SCHALL, P.C.

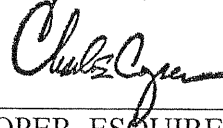


BY: \_\_\_\_\_  
CHARLES S. COOPER, ESQUIRE  
ATTORNEY FOR PLAINTIFF  
ASHLEY ADAMS

**Dated:**

VERIFICATION

I, CHARLES S. COOPER, ESQUIRE, counsel for Plaintiff, verifies that the statements made in the foregoing document are true and correct to the best of my knowledge. I understand that false statements herein are made subject to the penalties of relating to unsworn falsification to authorities.



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CHARLES S. COOPER, ESQUIRE  
ATTORNEY FOR PLAINTIFF

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: DISTRICT COURT  
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: NO. 04-251 JJF  
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CERTIFICATE OF SERVICE

I, Charles S. Cooper, Esquire, counsel for the Plaintiff, Ashley Adams, hereby states that a true and correct copy of the Plaintiffs' Rule 26(a) Initial Disclosures was served on the counsel below on June 20, 2005, by placing a copy of same in the Federal Express overnight mail service, postage prepaid.

Beth H. Christman, Esquire  
Casarino, Christman & Shalk, P.A.  
Conectiv Bldg. – Suite 200  
Wilmington, DE 19899

COOPER & SCHALL, P.C.



Date:

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CHARLES S. COOPER, ESQUIRE  
Attorney for Plaintiff, Ashley Adams



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ASHLEY ADAMS, :  
 :  
 Plaintiff, :  
 :  
 v. : Civil Action No. 04-251-JJF  
 :  
 JO ELLEN CHAPIN SHELDON, :  
 :  
 Defendant. :

**RULE 16 SCHEDULING ORDER**

The Rule 16 Scheduling Order entered in the above-captioned case has expired (D.I. 17);

IT IS ORDERED that:

**1. Discovery.**

(a) Exchange and completion of contention interrogatories, identification of fact witnesses and document production shall be completed by **February 28, 2007**.

(b) Maximum of **25** interrogatories, including contention interrogatories, for each side.

(c) Maximum of **25** requests for admission by each side.

(d) Maximum of **5** depositions by plaintiff(s) and **5** by defendant(s), excluding expert depositions. Depositions shall not commence until the discovery required by Paragraph 1(a, b and c) is completed.

(e) Reports from retained experts required by Fed. R. Civ. P. 26(a)(2) are due from the party which has the burden

of proof by **April 30, 2007**; Rebuttal report are due by **May 31, 2007**.

**2. Discovery Disputes.**

(a) A party seeking discovery which the opposing party refuses to provide shall file a motion (no brief) pursuant to Rule 37 of the Federal Rules of Civil Procedure and Local Rule 37.1. Said motion shall not exceed a total of four (4) pages and must specify that the filing is pursuant to the Discovery Dispute procedures provided in this paragraph. An Answer to the Rule 37 motion, not to exceed four (4) pages, shall be filed within five (5) days of service of the motion. No reply is permitted.

(b) All papers shall set forth in a plain and concise manner the issue(s) in dispute, the party's position on the issue(s), and the reasons for the party's position.

(c) Upon receipt of the Answer, the movant shall notify Chambers by e-mail at [jjf\\_civil@ded.uscourts.gov](mailto:jjf_civil@ded.uscourts.gov) that the dispute is ready for decision.

(d) Upon receipt of the movant's e-mail, the Court will determine whether a conference is necessary and advise the parties accordingly.

(e) There is no limit on the number of Rule 37 motions a party may file, unless otherwise ordered by the Court.

**3. Case Dispositive Motions.** Any case dispositive motions, pursuant to the Federal Rules of Civil Procedure, shall be served and filed with an opening brief on or before **July 2,**

2007. Briefing shall be pursuant to D. Del. LR 7.1.2. No case dispositive motion may be filed more than ten (10) days from the above date without leave of the Court. The Court will issue a separate Order regarding procedures for filing summary judgment motions.

**4. Applications by Motion.**

(a) Any applications to the Court shall be by written motion filed with the Clerk of the Court in compliance with the Federal Rules of Civil Procedure and the Local Rules of Civil Practice for the United States District Court for the District of Delaware (Amended Effective January 1, 1995). Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1. Parties may file stipulated and unopposed Orders with the Clerk of the Court for the Court's review and signing. The Court will not consider applications and requests submitted by letter or in a form other than a motion.

(b) No facsimile transmissions will be accepted.

(c) No telephone calls shall be made to Chambers.

(d) Any party with a true emergency matter requiring the assistance of the Court shall e-mail Chambers at: jjf\_civil@ded.uscourts.gov. The e-mail shall provide a short statement describing the emergency.

**5. Pretrial Conference.** A Pretrial Conference will be held on **Thursday, October 4, 2007 at 10:00 a.m.**, in Courtroom No. 4B on the 4th Floor, Boggs Federal Building, Wilmington,

Delaware. The Federal Rules of Civil Procedure and Rule 16.4 of the Local Rules of Civil Practice for the United States District Court for the District of Delaware (Amended Effective January 1, 1995) shall govern the pretrial conference.

6. **Trial.** Trial will be scheduled at the Pretrial Conference to commence within 120 days of the pretrial conference. Plaintiff and Counsel should be available during the 120 day period for trial.

December 7, 2006  
DATE

  
UNITED STATES DISTRICT JUDGE